

CMM:AT
F. #2024R00662/NYNYE0943

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
----- X

UNITED STATES OF AMERICA

- against -

TRAVIS CHINAPEN,

Defendant.

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FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ **SEP 19 2024** ★

LONG ISLAND OFFICE

INDICTMENT

Cr. No. **CR-24** **373**
(T. 18, U.S.C., §§ 924(c)(1)(A)(i),
924(d)(1), 2 and 3551 et seq.;
T. 21, U.S.C., §§ 841(a)(1),
841(b)(1)(B)(vi), 841(b)(1)(C),
841(b)(2), 846, 853(a) and 853(p);
T. 28, U.S.C., § 2461(c))

SEYBERT, J.

THE GRAND JURY CHARGES:

COUNT ONE

(Conspiracy to Distribute and Possess
With Intent to Distribute Controlled Substances)

LINDSAY, M.J.

1. In or about and between June 2023 and March 2024, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant TRAVIS CHINAPEN, together with others, did knowingly and intentionally conspire to distribute and possess with intent to distribute one or more controlled substances, which offense involved (a) a substance containing N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide ("fentanyl"), a Schedule II controlled substance, and (b) a substance containing alprazolam, a Schedule IV controlled substance, contrary to Title 21, United States Code, Section 841(a)(1).

The amount of fentanyl involved in the conspiracy attributable to the defendant as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, was 40 grams or more of a substance containing fentanyl.

(Title 21, United States Code, Sections 846, 841(b)(1)(B)(vi), 841(b)(1)(C) and 841(b)(2); Title 18, United States Code, Sections 3551 et seq.)

COUNT TWO

(Possession with Intent to Distribute Controlled Substances)

2. On or about and April 4, 2024, within the Eastern District of New York and elsewhere, the defendant TRAVIS CHINAPEN, together with others, did knowingly and intentionally possess with intent to distribute one or more controlled substances, which offense involved (a) a substance containing fentanyl, a Schedule II controlled substance, and (b) a substance containing alprazolam, a Schedule IV controlled substance.

(Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 841(b)(2); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT THREE

(Use of Firearms in Connection with a Drug Trafficking Crime)

3. On or about April 4, 2024, within the Eastern District of New York and elsewhere, the defendant TRAVIS CHINAPEN, together with others, did knowingly and intentionally use and carry one or more firearms during and in relation to a drug trafficking crime, to wit: the crime charged in Count Two, and did knowingly and intentionally possess said firearms in furtherance of such drug trafficking crime.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS ONE AND TWO

4. The United States hereby gives notice to the defendant that, upon his conviction of either of the offenses charged in Counts One and Two, the government will seek forfeiture in accordance with Title 21, United States Code, Section 853(a), which requires any person convicted of such offenses to forfeit: (a) any property constituting, or derived from, any proceeds obtained directly or indirectly as the result of such offenses; and (b) any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses, including but not limited to the following assets, all seized by law enforcement on or about April 4, 2024, in Brooklyn, New York:

- (a) one 9mm Ruger pistol bearing serial number 310-57328;
- (b) one 9mm pistol magazine;
- (c) approximately \$100,313.00 in United States currency;
- (d) nine 9mm rounds of ammunition; and
- (e) one 9mm Ekol Sava Magnum 9mm (Replica) Pistol with the serial number removed.

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided

without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to

seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 21, United States Code, Sections 853(a) and 853(p))

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNT THREE

6. The United States hereby gives notice to the defendant that, upon his conviction of the offense charged in Count Three, the government will seek forfeiture in accordance with Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), which require the forfeiture of any firearm or ammunition involved in or used in any knowing violation of Title 18, United States Code, Section 922 or Section 924, including but not limited to following assets, all seized by law enforcement on or about April 4, 2024, in Brooklyn, New York:

- (a) one 9mm Ruger pistol bearing serial number 310-57328;
- (b) one 9mm pistol magazine;
- (c) nine 9mm rounds of ammunition; and
- (d) one 9mm Ekol Sava Magnum 9mm (Replica) Pistol with the serial number removed.

7. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided

without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 924(d)(1); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

A TRUE BILL

/S/
FOREPERSON

By Carolyn Pokorny, Assistant U.S. Attorney

BREON PEACE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK